

MINUTES OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS OCT - 2 2006For The Northern Mariana Islands  
By \_\_\_\_\_  
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(Deputy Clerk)

CV-03-0014

October 2, 2006  
9:05 a.m.**JOHN (Jack) ANGELLO -vs- NORTHERN MARIANAS COLLEGE**

PRESENT: Hon. David A. Wiseman, Designated Judge Presiding  
Randy Schmidt, Law Clerk  
Sanae Shmull, Court Reporter  
K. Lynn Lemieux, Court Deputy  
Danilo Aguilar, Attorney for Plaintiff  
John Angello, Plaintiff  
F. Matt Smith, Attorney for Defendants

## PROCEEDINGS: BENCH TRIAL - Day One

Plaintiff was present and represented by Attorney Danilo Aguilar. Defendant, Northern Marianas College, was represented by Attorney F. Matt Smith.

Attorney Aguilar began opening statement at 9:10 a.m. and finished at 9:15 a.m.

Attorney Matt Smith began his opening statement at 9:15 a.m. and finished at 9:20 a.m.

Attorney Aguilar called witness:

JOHN (Jack) ANGELLO (Plaintiff). Pltf. Ex. No. 2 (Memo to NMC from Jack Angello). Attorney Aguilar moved to admit Ex. No. 2 into evidence; no objection, Court so ordered. Pltf. Ex. No. 4 (Memo to Human Resources Director from Jack Angello). Attorney Aguilar moved to admit Ex. No. 4 into evidence; no objection, Court so ordered Pltf. Ex. Nos. 8 and 9. Attorney Aguilar moved to admit Ex. Nos. 8 and 9 into evidence. Defense objected to the multiple attachments to Ex. 9. Court admitted Ex. Nos. 8 and 9 **without** attachments. Ex. No. 10 (Memo to Director of Human Resources). Attorney Aguilar moved to admit Ex. No. 10 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 11 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 14 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. Nos. 15 and 16 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. Nos. 22, 23, and 24 into evidence; Defense objected. Court took admission of documents under advisement. Attorney Aguilar moved to admit Ex. Nos. 26 and 27 into evidence; Defense made objections,

Court reserved ruling. Attorney Aguilar moved to admit Ex. Nos.32, 33 and 35 into evidence; Defense made objections, Court reserved ruling. Attorney Aguilar moved to admit Ex. Nos.36 into evidence; Defense made objections, Court reserved ruling. Attorney Aguilar moved to admit Ex. No. 41 into evidence; no objection, Court so ordered.

Court recessed for morning break at 10:30 a.m. and reconvened at 10:40 a.m.

Attorney Aguilar continued with DX of witness Angello. Attorney Aguilar moved to admit Ex. No. 58 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. Nos. 59 and 60 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 64 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 66 and 70 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 65 (entire application),67,68, and 73 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 77 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. Nos. 81 and 82 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. Nos. 85 and 86 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 99 and100 into evidence; no objection, Court so ordered. Attorney Aguilar moved to admit Ex. No. 106 into evidence; Defense had objection, Court took it under advisement. Attorney Aguilar moved to admit Ex. No. 109 into evidence; Defense made objection, Court took the matter under advisement.

Court recessed for lunch at 11:45 a.m. and reconvened at 1:00 p.m.

Attorney Aguilar continued with the DX of witness Angello. Attorney Aguilar moved to admit Ex. No. 103 into evidence; no objection, Court so ordered.

Attorney Matt Smith began CX at 1:15 p.m. . Attorney Matt Smith moved to admit Ex. HH into evidence; no objection, Court so ordered.

Court recessed at 2:35 p.m. and reconvened at 2:50 p.m.

Attorney Matt Smith continued with the CX of witness Angello. Attorney Smith moved to admit Ex. A into evidence; no objection, Court so ordered. AttorneySmith moved to admit Ex. S into evidence; no objection, Court so ordered. AttorneySmith moved to admit Ex. V into evidence; no objection, Court so ordered.

Court recessed at 3:50 p.m.

Adjourned at 3:50 p.m.

By: \_\_\_\_\_/s/  
K. Lynn Lemieux, Courtroom Deputy